

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
COMMERCE**

Call to Order: By **CHAIRMAN JOHN WITT**, on January 29, 1999 at
8:03 A.M., in Room 201 Capitol.

ROLL CALL

Members Present:

Rep. John Witt, Chairman (R)
Sen. Tom Keating, Vice Chairman (R)
Sen. William Crismore (R)
Rep. Dick Haines (R)
Sen. Linda Nelson (D)
Rep. Joe Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Summer Alger, Committee Secretary
Roger Lloyd, Legislative Branch
Shirley Moore, OBPP

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 2 - Dept. Fish, Wildlife & Parks
Budget
Executive Action: HB 2 - Dept. Fish, Wildlife & Parks
Budget

HEARING ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

DP 502

Glen Erickson, Administrator, Wildlife Division, commented on

this decision package and gave the committee a handout on the

State License Account for Upland Game Bird.

EXHIBIT(jnh23a01)

Roger Lloyd also gave a handout on HB 2 language for Dept. FW&P, concerning restrictions, and another handout of statues concerning upland game birds.

EXHIBIT(jnh23a02) & **EXHIBIT(jnh23a03)**, respectively.

Sen. Nelson questioned the habitat enhancement portion, and agreed with the department's recommendation of restricting the pheasant program appropriation to \$30,000/year.

Sen. Nelson inquired about pounds of grass seed since CRP, and **Sen. Keating** asked about a caveat for hunters. **Rep. Tropila** asked about federal funding, and **Mr. Lloyd** asked the committee what amount of biennial appropriation they want to appropriate.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 1; Side : A; Approx. Time Counter : 21.9}

Motion/Vote: SEN. CRISMORE moved that DP 502 BE ADOPTED AS A BIENNIAL APPROPRIATION AT THE LEVEL OF \$30,000/YEAR, RESTRICTED TO THE UPLAND GAME BIRD PROGRAM. SECONDED by SEN. NELSON. Motion carried unanimously.

DP 501

Rep. Haines discussed this decision package, commenting that this is a good thing so he wants to fund the program.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 1; Side : A; Approx. Time Counter : 26.4}

Motion/Vote: REP. HAINES moved that DP 501 BE ADOPTED. SECONDED by REP. TROPILA. Motion carried 5-1 with Keating voting no.

Rep. Witt commented on the transfer of game farms from Dept. FW&P to the Dept. of Livestock, and questioned environmental assessments, **Pat Graham, Director, Dept. FW&P**, replied, and **Sen. Keating** commented on the way the issue came up during the previous meeting.

HEARING ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES DIVISION

Rich Clough, Administrator, Field Services Division, gave an overview presentation of the division. **Rep. Haines** asked where

weeds fall in these decision packages, and **Mr. Clough** handed out new requests for a civil engineer pay plan exception (DP 208), and for a weed coordinator (DP 209).

EXHIBIT(jnh23a04) & **EXHIBIT(jnh23a05)**, respectively.

DP 208

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 17.9}

Motion/Vote: SEN. NELSON moved that DP 208 BE ADOPTED. SECONDED by REP. TROPILA. Motion carried unanimously.

DP 209

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 19.2}

Motion/Vote: SEN. KEATING moved that DP 209 BE ADOPTED. SECONDED by SEN. NELSON. Motion carried unanimously.

DP 201

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 19.5}

Motion/Vote: SEN. KEATING moved that DP 201 BE ADOPTED. SECONDED by SEN. NELSON. Motion carried unanimously.

DP 202

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 20.1}

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Motion/Vote: SEN. KEATING moved that DP 202 BE ADOPTED. SECONDED
by SEN. NELSON. Motion carried unanimously.

DP 203

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION**

{Tape : 1; Side : B; Approx. Time Counter : 21.5}

Motion/Vote: SEN. KEATING moved that DP 203 BE ADOPTED. SECONDED
by SEN. CRISMORE. Motion carried unanimously.

DP 204

Mr. Lloyd commented on the LFD Issues, and Mr. Clough passed out
brochures on Living with Montana Mountain Lions and Living with
Grizzlies.

EXHIBIT(jnh23a06) & **EXHIBIT(jnh23a07)**, respectively.

Sen. Keating noted that the general license account is
decreasing, and there was further discussion between Rep. Haines,
Sen. Keating, and the department.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 4.7}

Motion/Vote: REP. HAINES moved that DP 204 BE ADOPTED AS A
RESTRICTED BIENNIAL APPROPRIATION. SECONDED by SEN. CRISMORE.
Motion carried 4-2 with Keating and Witt voting no.

DP 205

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 5.8}

Motion/Vote: REP. TROPILA moved that DP 502 BE ADOPTED. SECONDED
by SEN. KEATING. Motion carried unanimously.

DP 207

Sen. Keating inquired if this is the first Legislative Contract Authority request, asked about hunting and the BLM and the Feds, and questioned **Mike Aderhold** about block management.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FIELD SERVICES
DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 10.5}

Motion/Vote: **SEN. KEATING** moved that DP 207 BE ADOPTED. **SECONDED** by **REP. TROPILA**. Motion carried unanimously.

Dave Schultz, Montana Weed Control Association & Madison County Weed Supervisor, commented.

Mr. Lloyd discussed the LFD Issues on pages **C-19** and **C-20**, along with Table 7 on page **C-19** of the Legislative Budget Analysis 2001 Biennium: Agency Budgets, Vol. 1, January 1999, LFD.

**The Legislative Budget Analysis (LBA) 2001 budget book will not be referred to as an exhibit, however, budget information from other sources will be noted as exhibits.*

Sen. Keating asked if this all depends on outcome of one of **Sen. Mesaro's** bills. **Rep. Tropila** inquired if it has a bill number yet, and **Sen. Crismore** commented on it, even though they are not going to act on it.

Break @ 9:23am *{Tape : 2; Side : A; Approx. Time Counter : 22.5}*

HEARING ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT DIVISION

Beate Galda, Administrator, Law Enforcement Division, gave an overview presentation of the division. She handed out an Annual Report on Performance Targets FY98 and MFWP Enforcement Division Performance Based Budget Measures FY00-01.

EXHIBIT(jnh23a08) & **EXHIBIT(jnh23a09)**, respectively.

Mr. Lloyd commented on Table 8 on page **C-26** of the LBA 2001 budget book, and **Sen. Keating** questioned **Mr. Lloyd** on the Program Proposed Budget table on page **C-24**.

DP 401

Sen. Keating commented on the fact that the Board of Outfitters opposed his push to leave the Rocky Mountain Front open to oil,

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etc.. **Sen. Crismore** agreed with **Sen. Keating** and asked someone from the department to walk through how the Board of Outfitters works. **Sen. Keating** asked how MT outfitters grant license monies, then brought up the use of LCA's, and **Mr. Lloyd** commented on the LFD Issues and options.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 2; Side : B; Approx. Time Counter : 14.3}

Motion/Vote: SEN. CRISMORE moved that DP 401 BE ADOPTED.
SECONDED by SEN. KEATING. Motion carried unanimously.

DP 402

Rep. Haines inquired about the \$58,000, above and beyond what if anything. He then asked how much was appropriated in FY99 and what has been spent. **Sen. Keating** asked what happens to any unused appropriations.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 2; Side : B; Approx. Time Counter : 17.2}

Motion/Vote: SEN. KEATING moved that DP 402 BE ADOPTED. SECONDED by SEN. NELSON. Motion carried unanimously.

DP 403

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 2; Side : B; Approx. Time Counter : 18.1}

Motion/Vote: SEN. KEATING moved that DP 403 BE ADOPTED. SECONDED by SEN. NELSON . Motion carried unanimously.

DP 404

Sen. Keating inquired if game farms are a growing industry, and **Sen. Nelson** asked what would happen if **Sen. Mesaro's** bill passed. **Rep. Tropila** asked if surveillance would remain in this department, and **Sen. Nelson** asked for the reason why it is so

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hard to get a license. **Chairman Witt** asked for clarification of the cost of an environmental impact statement (EIS), and if EIS's are paid for by license monies.

Sen. Keating inquired if this decision package is contingent upon the bill, and **Chairman Witt** asked for a bit more discussion on this issue. He asked **Director Graham** about funds attached to **Sen. Mesaro's** bill, and **Sen. Nelson** gave some background on the issue also.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 3; Side : A; Approx. Time Counter : 5.7}

Motion/Vote: SEN. CRISMORE moved that DP 404 BE ADOPTED. SECONDED by SEN. KEATING. Motion carried 4-2 with Nelson and Witt voting no.

DP 405

Rep. Tropila asked about the guns they wear.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 3; Side : A; Approx. Time Counter : 11.2}

Motion/Vote: SEN. KEATING moved that DP 405 BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried unanimously.

The department brought in two new requests: Legislative Contract Authority (DP 406), and Boating Safety and Recreation Enhancement (DP 407).

EXHIBIT(jnh23a10) & **EXHIBIT(jnh23a11)**, respectively.

DP 406

Sen. Keating asked if this will increase the work load.

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DIVISION**

{Tape : 3; Side : A; Approx. Time Counter : 13.4}

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Motion/Vote: SEN. KEATING moved that DP 406 BE ADOPTED AT THE LEVEL OF \$10,000/YEAR. SECONDED by SEN. CRISMORE. Motion carried unanimously.

DP 407

Robert Carroll, Coast Guard Auxiliary, testified on behalf of this decision package.

EXHIBIT(jnh23a12)

Mr. Lloyd commented that this will also affect the Parks Division, and Sen. Keating asked about the employees. Chairman Witt inquired as to why this decision package was not with the rest in the LBA 2001 budget book.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LAW ENFORCEMENT
DIVISION**

{Tape : 3; Side : A; Approx. Time Counter : 24.6}

Motion/Vote: REP. TROPILA moved that DP 407 BE ADOPTED. SECONDED by SEN. NELSON. Motion carried unanimously.

Ms. Galda asked for permission to stay with performance based budgeting, and Shirley Moore responded. Sen. Keating asked why the department is asking for this, and asked Ms. Moore if the executive opposed this. Bill Hargas replied as to the department's intention. Sen. Keating commented that the committee has to grant authority, but questioned the boiler-plate. After further discussion, Rep. Tropila commented that the committee does not need a motion to that effect, that it is okay to stay the way it is.

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ADJOURNMENT

Adjournment: 10:51 A.M.

REP. JOHN WITT, Chairman

SUMMER ALGER, Secretary

JW/SA

EXHIBIT (jnh23aad)